



The Scottish Parliament
Pàrlamaid na h-Alba

Reimbursement of Members Expenses Scheme – Use of Resources

12 September 2024

Reference: SPCB (2024) Paper 54

Executive summary

1. The SPCB is invited to consider a complaint regarding Paul O’Kane MSP’s distribution outwith his electoral area of West Scotland Region and after the deadline set for UK elections in relation to his annual report.

Issues and options

2. A complaint was received on 30th May raising concerns that Mr O’Kane had issued his annual report both outside his region and after the deadline set by the SPCB in relation to publications prior to a UK general election. The complainer highlighted that the report was received in Glasgow Cathcart constituency with a postcode of G46 8LQ, which is outwith his region and that the report was received on 30th May 2024 which was the first day publications were not permitted prior to the recent UK election in July.
3. Under Section 7 of the Code of Conduct Members must abide by the Reimbursement of Members’ Expenses Scheme and the policies of the SPCB. Section 4.1.2 of the Scheme does allow Members to be reimbursed for the cost of the publication and distribution of newsletters, annual reports and surveys. The SPCB’s policy on Members’ communications states that a publication funded through parliamentary allowances must not be distributed outside a Member’s electoral area.
4. Having looked into the matter the Member has provided evidence that the report was booked to be issued on 27th May and that it was the provider who issued it after this date without the Members knowledge which meant some of the distribution fell into the first day of the deadline set by the

SPCB. Given this was outside the Members control we would not recommend any further action be taken on this element of the complaint.

5. The Member has reviewed their arrangements for distribution of the annual report over this session and advised that they have changed provider as they had issues with a previous provider. They have used this supplier for two years' now for printing and distribution but this issue has not arisen previously as the Member has issued reports to different parts of the region each year in order to ensure different constituencies are reached throughout the session. Similar to other providers the supplier provides options to select post codes for wanted delivery areas. Part of the Members' region, West Scotland, does take in the postcode G46 8 but not all of it is within the region and some falls into Glasgow Region. The system did not allow the post code to be broken down further than this and therefore annual reports were issued to this densely populated area.
6. There were 5,233 reports issued to this postcode at a total cost for printing and delivery of £769.43. The Member has advised that this was an error on their part but that it is difficult to determine exactly what houses lie in which region due to the density of the population in the area but estimates that 40% would be within his region and 60% would not. This would mean a cost of £461.66 for those reports which have been issued outwith the region.
7. As the SPCB are aware they have delegated decisions to the Allowances Office on such breaches where they are below an agreed threshold of £50, given the SPCB have previously recognised that such breaches can happen when such postcode delivery systems are used and there is some cross over between regions. However, as this amount is above that threshold and the amount of reports issued is higher than the agreed threshold the SPCB are invited to consider whether they wish to seek recompense from Mr O'Kane for the cost of those reports issued outwith the region, £461.66.

Governance

8. The SPCB's policy on Members parliamentary funded communications specifically prohibits distribution of publications outside a Member's electoral area. However the SPCB has recognised previously that such errors can occur.

Resource implications

9. The costs in relation to the publication and distribution outwith the region equates to £461.66.

Publication Scheme

10. This paper can be published in accordance with the SPCB's publication scheme.

Next steps

11. To inform the Member and complainant about the SPCB decision.

Decision

12. The SPCB is invited to consider the complaint and decide whether they wish to seek recompense for the reports issued outside the region.

Allowances Office

30 August 2024